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# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20054

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In the Matter of	OFFICE OF THE COOP	Commissic: Etary
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Amendment of 73.202(b)	) MM Docket No. 99	
Table of Allotments	)	
FM Broadcast Stations	)	
(Christine, TX)	)	

To: John Karousos, Chief Allocations Branch Mass Media Bureau

#### PETITION FOR RULE MAKING

Pursuant to 47 CFR 1.401, Christine Radio Broadcasting

Company respectfully petitions the FCC to institute a Rule Making

proceeding to amend the FM Table of Allotments to add channel

272A at Christine, TX.

### **DISCUSSION**

Petitioner respectfully submits that the public interest would be served by allocating channel 272A to Christine, TX, as that community's first aural broadcast transmission service. Christine is an incorporated city in Atascosa County Texas. Christine's 1995 population was estimated at 472. 1/ Christine has its own city hall, mayor, city clerk and city council. Christine has a volunteer fire department and its own post office.

Like other "communities" to which the FCC has allotted a "first" local aural service, Christine has several local churches

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See 1995 Texas Almanac, Survey of Local Officials.

(Catholic, Baptist and Methodist), and commercial businesses
(Christine Country Store, Country Cactus Mart, Alice's Kitchen
etc.). The economy of Christine is driven by ranching and horse
breeding.

Attached hereto is an engineering report, which contains a channel study confirming that channel 272A can be allocated to Christine, TX consistent with the FCC's separation rules. See Appendix A.

Allotment of channel 272A to Christine, TX would provide that community with its first local aural transmission service and would result in a preferential arrangement of FM allotments.

See Revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992).

Finally, should this Petition be granted, and channel 272A be allotted to Christine, TX, Petitioner will apply for channel 272A and, after it is authorized, will promptly construct the new facility.

Respectfully submitted,

Robert Lewis Thompson

TAYLOR THIEMANN & ATKEN, L.C.

908 King Street, Suite 300

Alexandria, VA 22314

(703) 836-9400

December 3, 1999

Counsel for Christine Radio Broadcasting Company

# ENGINEERING STATEMENT IN SUPPORT OF PETITION FOR RULE MAKING

December 3, 1999

Christine Radio Broadcasting Co. FM Channel 272A 

102.3 Megahertz Christine, Texas

# **ENGINEERING STATEMENT**

The information and data contained within this engineering statement were prepared on behalf of Christine Radio Broadcasting Co., in support of a Petition for Rule Making. The petitioner proposes to amend the FM Table of Allotments, 47 C.F.R. § 73.202(b) of the Commission's Rules, by allotting Channel 272A to Christine, Texas.

# I. CHRISTINE, TEXAS

Christine is a city located within Atascosa County, Texas. The 1990 U.S. Census population of Christine was 368 persons. The 1990 U.S. Census population of Atascosa County was 30,533 persons, an increase of 21.9 percent above the 1980 U.S. Census population of 25,055 persons.

Christine has been assigned Postal ZIP Code 78012 by the U.S. Postal Service. The city has no aural broadcast services. The Bureau of the Census centroid geographic coordinates of Christine, referenced to the North American Datum of 1927, are:

North Latitude: 28 degrees, 47 minutes, 07 seconds West Longitude: 98 degrees, 29 minutes, 55 seconds

Because of licensed stations KQXT-FM on Channel 270C1 at San Antonio, and KTFM(FM) on Channel 274C1 at San Antonio, and an outstanding construction permit for station KBTE(FM) on Channel 272C2 at Rockport, a site restriction is required for the Channel 272A allotment at Christine. At a point corresponding to the following geographic coordinates, which is 8.7 kilometers southwest of Christine, the Channel 272A allotment can be made at Christine in compliance with the minimum distance separation requirements 47 C.F.R. § 73.207.

North Latitude: 28 degrees, 45 minutes, 06 seconds West Longitude: 98 degrees, 34 minutes, 43 seconds

From these reference geographic coordinates, Channel 272A is fully-spaced to all FCC assignments, allotments and proposals contained within the latest FCC FM Engineering Database. Figures one and two show the relative locations of Atascosa County within the State of Texas, and of the City of Christine within Atascosa County. Figure three shows the incorporated city limits of Christine and the allotment reference site.

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#### II. MINIMUM SPACING REQUIREMENTS

The following table lists the nearest assignments and allocations currently on file with the required distance separations for Channel 272A. For clarity, facilities that are greater than 350 kilometers beyond the minimum required separations are not shown.

As required by § 73.207 all minimum distance separation requirements are met from the Channel 272A allotment reference site proposed for Christine. All distances were computed by the methods outlined in § 73.208(c) of the Commission's Rules and were rounded to the nearest kilometer in accordance with § 73.208(c)(8).

	ALLOCATION-PERTINENT STATIONS AND SPACING REQUIREMENTS OF § 73.207					
ALLOC	218-A	28* 24' 03"	97* 44' 53"	90. Km	10. Km	
ALLOC	218-C	29° 19' 33"	100 55' 51"	237	29	
NEW	218-C3	28° 50' 39"	97° 06′ 15″	144	12	
KRTU-FM	219-C3	29* 27' 51"	98* 28' 56"	80	12	
KTRU	219-C2	30" 03' 54"	95 <b>'</b> 16' 10"	352	15	
KEKO	269-A	27* 18' 46"	98* 39' 51"	160	31	
КХGJ	269-C1	28° 43′ 53″	96* 05' 26"	243	75	
KQXT-FM	270-C1	29* 25' 08"	98* 29' 00"	75	75	
KILM	271-C2	26' 38' 09"	97° 50' 10"	246	106	
KMJQ	271-C	29* 34' 27"	95° 29′ 37"	314	165	
PRM	271-A	30° 43' 14"	98° 46′ 13″	219	72	
KBTE	272-C2	27* 52' 00"	97* 13' 08"	166	166	
KUVA	272-A	29* 11' 16"	99* 46′ 36″	126	115	
KVCO	272-C1	32' 07' 42"	99° 11' 18"	380	200	
ALLOC	273-B	26, 02, 20,	98° 16′ 42″	297	125	
ALLOC	273-C1	29° 06' 00"	96° 26' 00''	213	133	
ALLOC	273-A	28° 42' 26"	100° 31' 07"	189	68	
KTFM	274-C1	29° 25' 09"	98° 29' 06"	75	75	
ALLOC	275-B	28° 14' 00"	100° 44′ 30″	219	69	
KLTN	275-C	29' 45' 26"	95* 20' 18"	334	95	
KNDA	275-C2	27° 42' 26"	97° 46′ 54″	140	55	

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## III. CONCLUSIONS

The results of this study demonstrate that the FM Table of Allotments in § 73.202(b) of the Commission's Rules may be amended in technical compliance with all applicable spacing rules. Therefore, the Petitioner, Christine Radio Broadcasting Co., respectfully requests the following change to the Table:

PRESENT

<u>CITY</u>

CHANNEL

Christine, TX

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**PROPOSED** 

<u>CITY</u> Christine, TX CHANNEL 272 A

The petitioner asserts that, upon allotment of Channel 272A to Christine and the lifting of the present freeze on new applications, an application for construction permit to build a new Class A facility will be filed promptly to serve Christine, Texas.

Respectfully Submitted,

Lawrence L. Morton, P.E. Consulting Engineer to the Petitioner December 3, 1999

<b>AFFIDAVI</b>
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State of California ) ss:
County of Los Angeles )

Lawrence L. Morton, being first duly sworn upon oath, deposes and says:

- That he is a qualified engineer,
- That he is a Registered Professional Engineer in the State of California,
- That he is a member of the Association of Federal Communications Consulting Engineers,
- That his qualifications are a matter of record with the Federal Communications Commission,
- That he has prepared many broadcast applications and engineering exhibits that have been filed with and granted by the Federal Communications Commission,
- That he has carried out such engineering work and that the results thereof are attached hereto and form part of this affidavit, and

• That the foregoing statement and the report regarding the aforementioned engineering work are true and correct of his own knowledge.

Date: December 3, 1999

Lawrence L. Morton, P.E.

On December 3, 1999, before me, Linda Lu, a Notary Public, in and for the State of California, personally appeared Lawrence L. Morton known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

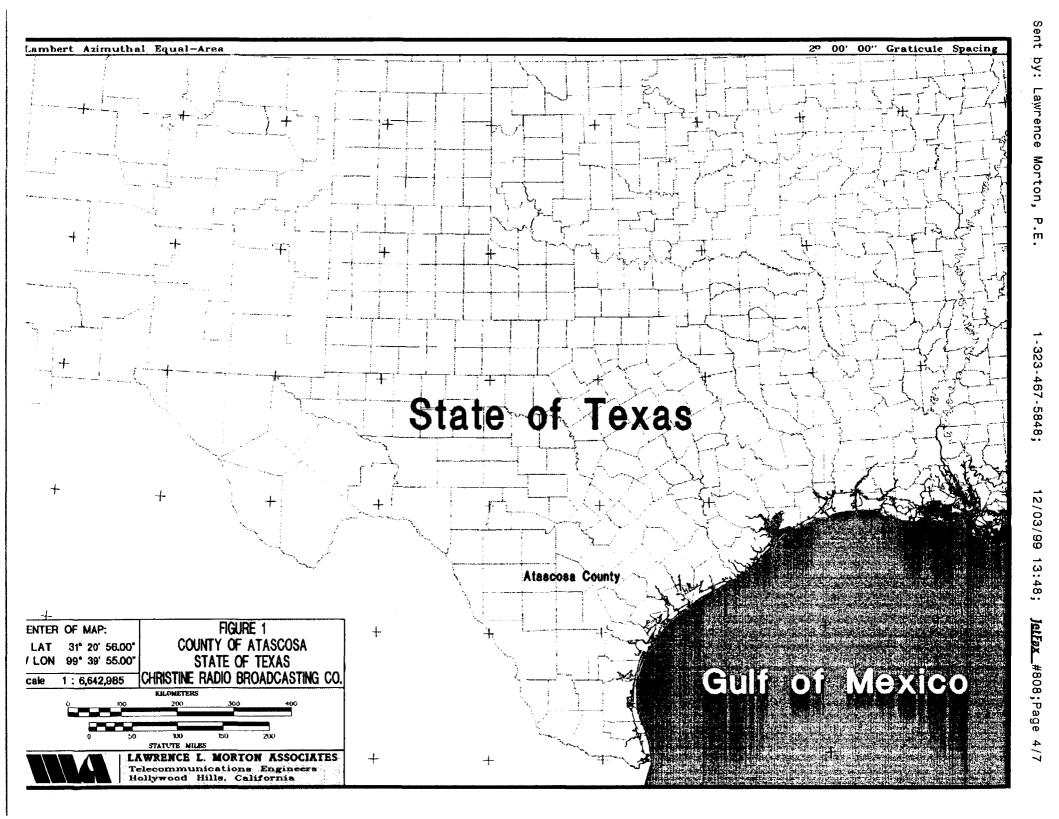
My Commission expires 11/30/2001

Inda Lu

Notary Public



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Notary Public California
LOS ANGELES COUNTY
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